

1 DARRYL P. RAINS (CA SBN 104802)
2 EUGENE ILLOVSKY (CA SBN 117892)
MORRISON & FOERSTER LLP
755 Page Mill Road
3 Palo Alto, California 94304-1018
Telephone: 650.813.5600
4 Facsimile: 650.494.0792
Email: DRains@mofo.com

5 CRAIG D. MARTIN (CA SBN 168195)
6 DOROTHY L. FERNANDEZ (CA SBN 184266)
MORRISON & FOERSTER LLP
7 425 Market Street
San Francisco, California 94105-2482
8 Telephone: 415.268.7000
Facsimile: 415.268.7522

9
10 Attorneys for Defendants Charles Schwab & Co., Inc.,
Schwab Investments, and Charles Schwab Investment
Management, Inc.

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 JERRY SMIT, individually and on behalf of all
15 others similarly situated,

16 Plaintiff,

17 v.

18 CHARLES SCHWAB & CO., INC., SCHWAB
INVESTMENTS and, CHARLES SCHWAB
19 INVESTMENT MANAGEMENT, INC.,

20 Defendants.

Case No. 10-cv-03971 LHK

[PROPOSED] ORDER APPROVING
SUBSTITUTION OF COUNSEL

21

22

23

24

25

26

27

28

1 Defendants Charles Schwab & Co., Inc., Schwab Investments, and Charles Schwab
2 Investment Management, Inc., hereby substitute Quinn Emanuel Urquhart & Sullivan, LLP, as
3 counsel of record, replacing Morrison & Foerster LLP. Counsel's new address of record is:

4 RICHARD A. SCHIRTZER
5 richardschirtzer@quinnemanuel.com
6 QUINN EMANUEL URQUHART & SULLIVAN, LLP
7 865 South Figueroa Street, 10th Floor
8 Los Angeles, CA 90017-2543
Telephone: (213) 443-3000
Facsimile: (213) 443-3100

9 KARIN KRAMER
karinkramer@quinnemanuel.com
10 PATRICK DOOLITTLE
patrickdoolittle@quinnemanuel.com
11 QUINN EMANUEL URQUHART & SULLIVAN, LLP
12 50 California Street, 22nd Floor
13 San Francisco, CA 94111-4788
Telephone: (415) 875-6600
Facsimile: (415) 875-6700

14
15 The substitution of counsel will take effect upon the Court's entry of the proposed order.
16
17

Dated: December 8, 2010

DARRYL P. RAINS
EUGENE ILLOVSKY
CRAIG D. MARTIN
DOROTHY L. FERNANDEZ
MORRISON & FOERSTER LLP

21 By: /s/ Darryl P. Rains
22 Darryl P. Rains

23 Dated: December 8, 2010

RICHARD A. SCHIRTZER
KARIN KRAMER
PATRICK DOOLITTLE
QUINN EMANUEL URQUHART &
SULLIVAN, LLP

26 By: /s/ Patrick Doolittle
27 Patrick Doolittle

1 Defendants hereby agree and consent to this substitution of counsel.
2
3 Dated: December 8, 2010

CHARLES SCHWAB & CO., INC.,
SCHWAB INVESTMENTS, AND CHARLES
SCHWAB INVESTMENT MANAGEMENT,
INC.

5
6 By: /s/ Linda Drucker
7 Linda Drucker
Associate General Counsel
Charles Schwab & Co.
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 GOOD CAUSE APPEARING,

2 IT IS HEREBY ORDERED that Quinn Emanuel Urquhart & Sullivan, LLP shall, and
3 hereby is, substituted for Morrison & Foerster LLP as counsel of record for Defendants Charles
4 Schwab & Co., Inc., Schwab Investments, and Charles Schwab Investment Management, Inc.

5
6 Date: December 15, 2010


HONORABLE LUCY H. KOH,
U.S. District Court Judge

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28